

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In re:

Robert Lee Ellis and Beverly Hobbs Ellis

S.S. Nos.: xxx-xx-7468 and xxx-xx-1447

Mailing Address: 341 Winchester Road, Rougemont, NC 27572-

Case No. 10-82128

Debtors.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on November 19, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 10, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtors
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET
(MIDDLE DISTRICT - DESARDI VERSION)**

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Retain	Creditor Name	Sch D #	Description of Collateral
	Yahama		

ARREARAGE CLAIMS

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
	Yahama			**
				**
				**
				**
				**
	American Home Mortgage		\$541	**
				**
				**
				**

Date: 7/11/10

Lastname-SS#: Ellis-7468

SURRENDER COLLATERAL

Creditor Name	Description of Collateral

REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	American Home Mortgage		\$541	N/A	n/a	\$541.00	Residence
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

STD - SECURED DEBTS w/ FMV

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	American General		\$20,690	5.00	\$207	\$417.65	non-residence
	Beneficial 2nd			5.00			Mobile Home and Land
	Beneficial 3rd			5.00			Residence
				5.00			Residence

STD - SECURED DEBTS w/ 100%

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Wells Fargo Dealer		\$11,263	5.00	\$112	\$227.35	2005 Ford Mustang
	American Honda		\$3,544	5.00	\$30	\$71.54	2007 Honda Shadow Motorcycle
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)

Amount

Law Offices of John T. Orcutt, P.C. \$2,800

SECURED TAXES

Secured Amt

IRS Tax Liens

Real Property Taxes on Retained Realty

\$1,003

UNSECURED PRIORITY DEBTS

Amount

IRS Taxes

State Taxes

Personal Property Taxes

Alimony or Child Support Arrearage

CO-SIGN PROTECT (Pay 100%)

Int. %

All Co-Sign Protect Debts (See*)

Payoff Amt

GENERAL NON-PRIORITY UNSECURED

Amount**

DMI=

None(\$0)

\$9,099

PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **1,523** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **2.54** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

* = May include up to 2 post-petition payments.

* Co-sign protect on all debts so designated on the filed schedules.

** = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan_MD_(DeSardi Version 1/12/10) © LOJTO

Other Miscellaneous Provisions

Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate

CERTIFICATE OF SERVICE

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

All the creditors set forth on the mailing matrix filing in this case.

/s Kaelyn McCollum

Kaelyn McCollum

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Credit First 6275 Eastland Road Brookpark, OH 44142-1399
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	America Honda Motors 1220 Old Alpharetta Road Attn: Managing Agent Alpharetta, GA 30005	Internal Revenue Service (MD)** Post Office Box 21126 Philadelphia, PA 19114-0326
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	American General Finance**** 4015 University Drive Ste J Attn: Managing Agent Durham, NC 27707-2548	Law Offices of John T. Orcutt 6616-203 Six Forks Road Raleigh, NC 27615
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	American Home Mortgage ** Post Office Box 660029 Attn: Managing Agent Dallas, TX 75266-0029	Lowe's/GEMB Attn: Bankruptcy Department P.O. Box 103104 Roswell, GA 30076
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	BB&T Post Office Box 1847 Wilson, NC 27894	North Carolina Department of Re c/o Reginald S. Hinton Post Office Box 25000 Raleigh, NC 27640-5000
Experian P.O. Box 2002 Allen, TX 75013-2002	Beneficial Post Office Box 4153 Attn: Managing Agent Carol Stream, IL 60197	North Carolina Dept of Revenue* Post Office Box 1168 Raleigh, NC 27602-1168
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Beneficial Post Office Box 5233 Attn: Managing Agent Carol Stream, IL 60197-5233	Person County Tax Collector 105 South Main Street P.O. Box 1701 Roxboro, NC 27573
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Capital One *** Post Office Box 30285 Salt Lake City, UT 84130-0285	Sallie Mae Financial ** 300 Continental Drive Ste. 1S Newark, DE 19713-4339
Internal Revenue Service (ED)** Post Office Box 7346 Philadelphia, PA 19101-7346	Credit Bureau of Greensboro** Post Office Box 26140 Greensboro, NC 27402-0040	Sears/Citibank** PO Box 6286 Sioux Falls, SD 57117-6282

US Attorney's Office (MD)**
Middle District
Post Office Box 1858
Greensboro, NC 27502-1858

Walmart
C/O GE Money Bank
Attn: Bankruptcy Dept.
P.O. Box 103104
Roswell, GA 30076

Wells Fargo Dealer Services***
Post Office Box 168048
Attn: Managing Agent
Irving, TX 75016-8048

Yamaha
c/o Retail Services
Post Office Box 703
Attn: Managing Agent
Wood Dale, IL 60191-0703